

Date of Hearing: April 18, 2022

ASSEMBLY COMMITTEE ON TRANSPORTATION

Laura Friedman, Chair

AB 2949 (Lee) – As Amended March 17, 2022

SUBJECT: Vehicles: toll exemptions

SUMMARY: Exempts vehicles registered to veterans displaying specialized license plates from paying tolls or related fines. Specifically, **this bill:**

- 1) Exempts from toll payment or other charge on a toll road, toll bridge, toll highway, vehicular crossing, or other toll facility, except for a high-occupancy toll lane, any vehicle displaying one of the six California license plate types that are only available to qualifying veterans from the Department of Motor Vehicles (DMV). These veterans include:
 - a) Disabled veterans,
 - b) Pearl Harbor survivors,
 - c) Members of the Legion of Valor, which includes recipients of the Army, Navy, and Air Force Medals of Honor, the Army Distinguished Service Cross, and the Navy and Air Force Crosses,
 - d) Former American prisoners of war,
 - e) Recipients of the Congressional Medal of Honor; and,
 - f) Recipients of the Purple Heart.

EXISTING LAW:

- 1) Requires every vehicle using a toll bridge or toll highway to be liable for any tolls or other charges that may be prescribed and prohibits a person from evading or attempting to evade the payment of those tolls or charges.
- 2) Allows emergency vehicles that are properly marked as such, displaying exempt California license plates, and either engaged in traveling to or returning from urgent or emergency response to be exempt from toll payment.
- 3) Requires toll operators, or processing agency, to issue a notice of toll evasion violation to the registered owner of the vehicle within 21 days of the violation if a vehicle is found, by automated devices (including cameras), by visual observation, or otherwise, to have evaded a toll.

FISCAL EFFECT: Unknown

COMMENTS:

What is covered? This bill applies to tolls and other charges on toll roads, toll bridges, toll highways, vehicular crossings or other toll facilities, except high-occupancy toll lanes.

Who is covered? This bill does not excuse all veterans from paying tolls. Rather, it exempts vehicles displaying special license plates that can only be obtained by veterans who meet specific, additional criteria and can provide official documentation of their status to the DMV.

Special plates are available to veterans who have been prisoners of war, veterans who survived the attack on Pearl Harbor, veterans who have been severely disabled in the course of their service, and veterans who have received particular distinctions (e.g., the Purple Heart, the Congressional Medal of Honor). As these examples suggest, the special plate requirement limits the scope of the bill to a small subset of California veterans. According to the DMV, there are 34,365 disabled veterans and 5,580 other individuals with specialized license plates that meet the specifications in this bill.

Enforcement challenges. Toll systems often either rely primarily on, or are backstopped by a camera that photographs each vehicle's license plate as it passes through a toll booth. Therefore, toll operators may be able to program their automated systems to identify vehicles displaying qualifying veteran plates. However, this bill provides no direction to toll facility operators regarding administration of this requirement. Additionally, not all toll facilities in the state utilize license plate cameras. This could complicate enacting this program across the diverse types of tolling facilities in the state and may result in veterans not receiving the benefit intended by this bill. It is also important to consider that some special status plates can be retained on a vehicle by a surviving spouse after the qualifying veteran's death, and as a result the benefits of this bill may extend beyond the intended veteran.

Cost impact on toll facilities. Supporters of this legislation argue that due to the small number of covered veterans, the bill's impact on revenues from toll highways and bridges would be de minimis. Depending on the type of tolling facility, the cost of related programming changes for toll systems is also likely to be relatively minor. It is important to bear in mind, however, that distinguished veterans already receive similar small courtesies, such as discounted fishing licenses and free admission to California state parks. Unlike programs that enhance veterans' access to education, health care, housing, or employment, these small benefits do not substantively improve veterans' opportunities or quality of life. They do, however, deprive public agencies of funds. While any such benefit taken in isolation may seem de minimis, the more that are permitted, the greater the cost to the rest of California's citizens, who must make up the difference.

According to the author, "The minimum wage for California is \$15 an hour. Meanwhile, the toll road from the Bay Area to Sacramento is \$14 roundtrip, which could be someone's entire hour's salary. AB 2949 requires that a vehicle displaying one of the specified veteran's plates be exempted from tolls or other charges on toll roads or bridges.

Veterans who are disabled, survived Pearl Harbor, a Medal of Honor or Purple Heart recipient, or a former Prisoner of War face enough difficulties after their military service. By exempting these veterans from toll charges, we will provide assistance to those who sacrificed for us in service."

Committee comments: Exempting veterans from toll payment in California raises the question of whether various other groups will seek similar treatment. Unlike the exemption for emergency vehicles engaged in emergency response, this exemption is not based on a specific and tangible need without additional specifications. As such, the bill may open the door to additional toll exemptions. Additionally, with the number of specialized plates currently issued, this bill would represent a significant cost to the state if the Commission on State Mandates determines that this bill contains costs mandated by the state.

Related and previous legislation:

SB 1259 (Runner) of 2016 would have exempted vehicles displaying specialized veteran license plates from toll payments. Died in Assembly Veterans Affairs Committee.

AB 254 (Jeffries) Chapter 425, Statutes of 2009 exempted emergency vehicles engaged in emergency response from toll payment.

AB 1844 (Gallagher) of 2016 would have reduce fees on lifetime fishing and hunting licenses for all honorably discharged veterans. This bill died in the Senate Appropriations Committee.

SB 951 (McGuire) of 2016 would have created a pilot program to provide veterans with free access to transit. This bill died in the Senate Appropriations Committee.

SB 1081 (Morrell) of 2016 would have reduced fees on fishing and hunting licenses for all honorably discharged veterans and provide free licenses to certain veterans. This bill died in the Senate Appropriations Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

Analysis Prepared by: Aaron Kurz / TRANS. / (916) 319-2093